



---

# **Agriculture Committee**

**Wednesday - March 29, 2006**

**1pm - 4pm**

**214 The Capitol**

## **ACTION PACKET**

Allan G. Bense  
Speaker

Ralph Poppell  
Dwight Stansel  
Co-Chairs

# **Committee Meeting Notice**

## **HOUSE OF REPRESENTATIVES**

**Speaker Allan G. Bense**

### **Agriculture Committee**

**Start Date and Time:** Wednesday, March 29, 2006 01:00 pm

**End Date and Time:** Wednesday, March 29, 2006 04:00 pm

**Location:** 214 Capitol

**Duration:** 3.00 hrs

#### **Consideration of the following bill(s):**

HB 7121 Disaster Preparedness Response and Recovery by Domestic Security Committee

HB 1153 Concealed Weapons by Coley

HB 1501 Agent Licensing by Berfield

HCB 6003 Resale of Tickets by Criminal Justice Committee, Stargel, Llorente

#### **Consideration of the following proposed committee bill(s):**

PCB AG 06-02 -- Department of Agriculture and Consumer Services

**NOTICE FINALIZED on 03/27/2006 14:16 by SIMS-DAVIS.LINDA**

## COMMITTEE MEETING REPORT

### Agriculture Committee

3/29/2006 1:00:00PM

**Location:** 214 Capitol

**Attendance:**

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Ralph Poppell (Chair)	X		
Bruce Antone	X		
Edward Bullard	X		
Larry Cretul	X		
Denise Grimsley	X		
Paige Kreegel	X		
Sheri McInvale	X		
Dwight Stansel	X		
Baxter Troutman	X		
Shelley Vana	X		
<b>Totals:</b>	<b>10</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Wednesday, March 29, 2006 3:44:22PM

## COMMITTEE MEETING REPORT

### Agriculture Committee

3/29/2006 1:00:00PM

Location: 214 Capitol

HB 1153 : Concealed Weapons

<input checked="" type="checkbox"/> Favorable					
	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bruce Antone	X				
Edward Bullard	X				
Larry Cretul	X				
Denise Grimsley	X				
Paige Kreegel	X				
Sheri McInvale	X				
Dwight Stansel	X				
Baxter Troutman	X				
Shelley Vana	X				
Ralph Poppell (Chair)	X				
Total Yeas: 10		Total Nays: 0			

#### Appearances:

Concealed Weapon

Constance Crawford, Assistant Director (State Employee) (At Request Of Chair) - Information Only

Division of Licensing, DOACS

P.O. Box 6687

Tallahassee FL 32314

Phone: (850) 245-5500

Committee meeting was reported out: Wednesday, March 29, 2006 3:44:22PM

## COMMITTEE MEETING REPORT

### Agriculture Committee

3/29/2006 1:00:00PM

Location: 214 Capitol

HB 1501 : Agent Licensing

☒ X

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bruce Antone				X	
Edward Bullard	X				
Larry Cretul			X		
Denise Grimsley	X				
Paige Kreegel	X				
Sheri McInvale	X				
Dwight Stansel	X				
Baxter Troutman	X				
Shelley Vana	X				
Ralph Poppell (Chair)	X				
Total Yeas: 8		Total Nays: 0			

Committee meeting was reported out: Wednesday, March 29, 2006 3:44:22PM

# COMMITTEE MEETING REPORT

## Agriculture Committee

3/29/2006 1:00:00PM

Location: 214 Capitol

HCB 6003 : Resale of Tickets

☒ Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bruce Antone				X	
Edward Bullard	X				
Larry Cretul	X				
Denise Grimsley	X				
Paige Kreegel	X				
Sheri McInvale	X				
Dwight Stansel	X				
Baxter Troutman	X				
Shelley Vana	X				
Ralph Poppell (Chair)	X				
Total Yeas: 9		Total Nays: 0			

### HCB 6003 Amendments

#### Amendment 1

☒ Withdrawn

### Appearances:

Resale of Tickets

Jeffrey Sharkey (Lobbyist) - Proponent

Ticketmasters

106 East College Ave., #604

Tallahassee FL 32301

Phone: (850) 224-1660

Resale of Tickets

Nick Iarossi (Lobbyist) - Proponent

Stub Hub

101 East College Ave., Suite 303

Tallahassee FL 32301

Phone: (850) 222-9075

Resale of Tickets

Jim Daughton (Lobbyist) - Proponent

eBay, Inc.

215 South Monroe Street

Tallahassee FL 32308

Phone: (850) 205-9000

Committee meeting was reported out: Wednesday, March 29, 2006 3:44:22PM

## **COMMITTEE MEETING REPORT**

### **Agriculture Committee**

**3/29/2006 1:00:00PM**

**Location:** 214 Capitol

Resale of Tickets

Wayne Malaney (Lobbyist) - Opponent

Florida Facility Managers Association

2846-A Remington Green Circle

Tallahassee FL 32308

Phone: (850) 422-1011

Committee meeting was reported out: Wednesday, March 29, 2006 3:44:22PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. HCB 6003

COUNCIL/COMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN X (Y/N)  
OTHER \_\_\_\_\_

Committee hearing bill: **Agriculture**

Representatives **Stargel and Llorente** offered the following:

**Amendment (with title amendment)**

Between line(s) 13-14, insert:

Section 1. Section 817.357, Florida Statutes, is created to read:

817.357 Purchase of tickets.—Whoever knowingly purchases from the original seller and intends to resell a quantity of tickets to an event which exceeds the maximum amount posted by or on behalf of the original ticket seller at the point of original sale or printed on the tickets themselves commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. No person or firm shall have any liability under this section with respect to tickets for which that person or firm is the original ticket seller or for which that person or firm provides contracted services for such original ticket seller in connection with such sales.



HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

22 ===== T I T L E   A M E N D M E N T =====

23        Remove line 2 and insert:

24    An act relating to resale of tickets; creating s. 817.357, F.S.;

25    providing a criminal penalty for purchasing tickets in excess of

26    the maximum number allowed with the intent to resell those

27    tickets; amending s. 817.36,

28

# COMMITTEE MEETING REPORT

## Agriculture Committee

3/29/2006 1:00:00PM

Location: 214 Capitol

HB 7121 : Disaster Preparedness Response and Recovery

<input checked="" type="checkbox"/> Favorable					
	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bruce Antone	X				
Edward Bullard	X				
Larry Cretul	X				
Denise Grimsley	X				
Paige Kreegel	X				
Sheri McInvale	X				
Dwight Stansel	X				
Baxter Troutman	X				
Shelley Vana	X				
Ralph Poppell (Chair)	X				
Total Yeas: 10		Total Nays: 0			

### Appearances:

Disaster Preparedness

Jim Smith (Lobbyist) - Proponent

FL Petroleum Marketers & Convenience Store Association  
209 Office Plaza Drive  
Tallahassee FL 32301  
Phone: (850) 877-5179

Disaster Preparedness

Eric Hamilton, Associate Director (Lobbyist) - Proponent

Florida Petroleum Council  
215 South Monore Street  
Tallahassee FL 32301  
Phone: (850) 561-6300

Disaster Preparedness

Keyna Cory, Chief Lobbyist (Lobbyist) - Proponent

Associated Industries of Florida  
110 East College Avenue  
Tallahassee FL 32301  
Phone: (850) 681-1065

Disaster Preparedness

David Mica, Executive Director (Lobbyist) - Proponent

FL Petroleum Council  
215 South Monroe Street, Suite 800  
Tallahassee FL 32301  
Phone: (850) 561-6300

Committee meeting was reported out: Wednesday, March 29, 2006 3:44:22PM

# COMMITTEE MEETING REPORT

## Agriculture Committee

3/29/2006 1:00:00PM

Location: 214 Capitol

PCB AG 06-02 : Department of Agriculture and Consumer Services

☒ Favorable With Amendments

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bruce Antone	X				
Edward Bullard	X				
Larry Cretul	X				
Denise Grimsley	X				
Paige Kreegel				X	
Sheri McInvale	X				
Dwight Stansel	X				
Baxter Troutman	X				
Shelley Vana	X				
Ralph Poppell (Chair)	X				
Total Yeas: 9		Total Nays: 0			

### PCB AG 06-02 Amendments

#### Amendment 1

☒ Adopted Without Objection

#### Amendment 2

☒ Adopted Without Objection

#### Amendment 3

☒ Adopted Without Objection

#### Amendment 4

☒ Adopted Without Objection

### Appearances:

PCB AG 06-02

John Rogers (Lobbyist) - Proponent

Florida Retail Federation

P.O. Box 10024

Tallahassee FL 32312

Phone: (850) 222-4082

Committee meeting was reported out: Wednesday, March 29, 2006 3:44:22PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. PCB AG 06-02

COUNCIL/COMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION ☒ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

Council/Committee hearing bill: **Agriculture**

Representative **Poppell** offered the following:

**Amendment (with title amendment)**

Remove lines 91-129 and insert:

Section 3. Effective January 1, 2007, subsection (4) of section 493.6303, Florida Statutes, is amended to read:

493.6303 License requirements.--In addition to the license requirements set forth elsewhere in this chapter, each individual or agency shall comply with the following additional requirements:

(4) (a) ~~Effective October 1, 1994, a~~An applicant for a Class "D" license must complete ~~have completed~~ a minimum of 40 hours of professional training at a school or training facility licensed by the department. The department shall by rule establish the general content and number of hours of each subject area to be taught ~~the training~~.

(b) An applicant may fulfill the training requirement prescribed in paragraph (a) by submitting proof of:

1. Successful completion of the total number of required ~~40~~ hours of training before initial application for a class "D" license; or

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

2. Successful completion of 24 hours of training before initial application for a Class "D" license, and successful completion of the remaining 16 hours of training within 180 days after the date that ~~upon~~ the ~~first~~ application is submitted for renewal of, a Class "D" license. If documentation of completion of the required training is not submitted within the specified timeframe, the individual's license is automatically suspended until such time as proof of the required training is provided to the department. ~~However, individuals licensed before October 1, 1994, need not complete additional training hours in order to renew their licenses.~~

However, Any person whose license has been revoked, suspended pursuant to subparagraph (b)2., or whose license has been expired for 1 year or longer is considered, upon reapplication for a license, an initial applicant and must submit proof of successful completion of 40 hours of professional training at a school or training facility licensed by the department as prescribed in paragraph (a) before a license will be issued. Any person whose license was issued before January 1, 2007, and whose license has been expired for less than 1 year must, upon reapplication for a license, submit documentation of completion of the total number of hours of training prescribed by law at the time his or her initial license was issued before another license will be issued. This subsection does not require an individual licensed before January 1, 2007, to complete additional training hours in order to renew an active license, beyond the required total amount of training within the timeframe prescribed by law at the time he or she was licensed.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

===== T I T L E A M E N D M E N T =====

Remove line 14 and insert:

completing the required training; prescribing requirements and  
conditions for persons licensed before a certain date;

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2

Bill No. PCB AG 06-02

COUNCIL/COMMITTEE ACTION

ADOPTED	— (Y/N)
ADOPTED AS AMENDED	— (Y/N)
ADOPTED W/O OBJECTION	X (Y/N)
FAILED TO ADOPT	— (Y/N)
WITHDRAWN	— (Y/N)
OTHER	—

Committee hearing bill: **Agriculture**

Representative **Poppell** offered the following:

**Amendment (with title amendment)**

Between lines 150-151, insert:

(d) It shall be unlawful for any person who makes a telephonic sales call or causes a telephonic sales call to be made to intentionally alter the voice of the caller in an attempt to disguise or conceal the identity of the caller in order to defraud, confuse, or financially or otherwise injure the recipient of a telephonic sales call, or in order to obtain personal information from the recipient of a telephonic sales call which may be used in a fraudulent or unlawful manner.

===== **T I T L E   A M E N D M E N T** =====

Remove line 20 and insert:

identification service; providing a definition; prohibiting alteration of a caller's voice during a telephonic sales call under certain circumstances and for certain purposes; amending

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3

Bill No. PCB AG 06-02

COUNCIL/COMMITTEE ACTION

ADOPTED	<input type="checkbox"/> (Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

1 Committee hearing bill: **Agriculture**

2 Representative **Poppell** offered the following:

3  
4 **Amendment**

5 Remove lines 136 and insert:  
6 made to fail to transmit or cause not to be transmitted the  
7 telephone  
8





Committee on \_\_\_\_\_

Action Adopted w/o Objection

Date \_\_\_\_\_

HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY

(may be used in Committee, but not on House Floor)

(A)

Amendment No. 4

Bill No. PCB AG 06-02

(For filing with the Clerk, Committee and Member Amendments **must** be prepared on computer)

If amendment is text of another bill insert:

Bill No. \_\_\_\_\_ Draft No. \_\_\_\_\_

Representative(s)/The Committee on Dwight Starn

offered the following amendment:

Amendment

on page 8, line 216,

"This subsection shall not apply to any ordinance adopted prior to June 2002 which requires a business establishment to install an electronic retention system to retain shopping carts within the real property boundaries of a business location."

# COMMITTEE MEETING REPORT

## Agriculture Committee

3/29/2006 1:00:00PM

**Location:** 214 Capitol

### Summary:

#### Agriculture Committee

*Wednesday March 29, 2006 01:00 pm*

HB 1153 Favorable Yeas: 10 Nays: 0

HB 1501 Favorable Yeas: 8 Nays: 0

HCB 6003 Favorable Yeas: 9 Nays: 0

Amendment 1 Withdrawn

HB 7121 Favorable Yeas: 10 Nays: 0

PCB AG 06-02 Favorable With Amendments Yeas: 9 Nays: 0

Amendment 1 Adopted Without Objection

Amendment 2 Adopted Without Objection

Amendment 3 Adopted Without Objection

Amendment 4 Adopted Without Objection

Committee meeting was reported out: Wednesday, March 29, 2006 3:44:22PM